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To provide a framework for consideration by the legislative and executive
branches of unilateral economic sanctions.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 7, 1997

Mr. LUGAR (for himself, Mr. HAGEL, Mr. ROBERTS, Mr. THOMAS, Mr. GRAMS, Mr. KERREY, Mrs. FEINSTEIN, and Mr. CHAFEE) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To provide a framework for consideration by the legislative
and executive branches of unilateral economic sanctions.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Enhancement of
5 Trade, Security, and Human Rights through Sanctions
6 Reform Act”.

1 **SEC. 2. PURPOSE.**

2 It is the purpose of this Act to establish an effective
3 framework for consideration by the legislative and execu-
4 tive branches of unilateral economic sanctions.

5 **SEC. 3. STATEMENT OF POLICY.**

6 It is the policy of the United States—

7 (1) to pursue United States interests through
8 vigorous and effective diplomatic, political, commer-
9 cial, charitable, educational, cultural, and strategic
10 engagement with other countries, while recognizing
11 that the national security interests of the United
12 States may sometimes require the imposition of eco-
13 nomic sanctions on other countries;

14 (2) to foster multilateral cooperation on vital
15 matters of United States foreign policy, including
16 promoting human rights and democracy, combating
17 international terrorism, proliferation of weapons of
18 mass destruction, and international narcotics traf-
19 ficking, and ensuring adequate environmental pro-
20 tection;

21 (3) to promote United States economic growth
22 and job creation by expanding exports of goods,
23 services, and agricultural commodities, and by en-
24 couraging investment that supports the sale abroad
25 of products and services of the United States;

1 (4) to maintain the reputation of United States
2 businesses and farmers as reliable suppliers to inter-
3 national customers of quality products and services,
4 including United States manufactures, technology
5 products, financial services, and agricultural com-
6 modities;

7 (5) to avoid the use of restrictions on exports
8 of agricultural commodities as a foreign policy weap-
9 on;

10 (6) to oppose policies of other countries de-
11 signed to discourage economic interaction with coun-
12 tries friendly to the United States or with any Unit-
13 ed States national, and to avoid use of such meas-
14 ures as instruments of United States foreign policy;
15 and

16 (7) when economic sanctions are necessary—

17 (A) to target them as narrowly as possible
18 on those foreign governments, entities, and offi-
19 cials that are responsible for the conduct being
20 targeted, thereby minimizing unnecessary or
21 disproportionate harm to individuals who are
22 not responsible for such conduct; and

23 (B) to the extent feasible, to avoid any ad-
24 verse impact of economic sanctions on the hu-
25 manitarian activities of United States and for-

1 eign nongovernmental organizations in a coun-
2 try against which sanctions are imposed.

3 **SEC. 4. DEFINITIONS.**

4 As used in this Act:

5 (1) UNILATERAL ECONOMIC SANCTION.—

6 (A) IN GENERAL.—The term “unilateral
7 economic sanction” means any restriction or
8 condition on economic activity with respect to a
9 foreign country or foreign entity that is im-
10 posed by the United States for reasons of for-
11 eign policy or national security, including any of
12 the measures described in subparagraph (B),
13 except in a case in which the United States im-
14 poses the measure pursuant to a multilateral
15 regime and the other members of that regime
16 have agreed to impose substantially equivalent
17 measures.

18 (B) PARTICULAR MEASURES.—The meas-
19 ures referred to in subparagraph (A) are the
20 following:

21 (i) The suspension, restriction, or pro-
22 hibition of exports or imports of any prod-
23 uct, technology, or service to or from a for-
24 eign country or entity.

1 (ii) The suspension of, or any restric-
2 tion or prohibition on, financial trans-
3 actions with a foreign country or entity.

4 (iii) The suspension of, or any restric-
5 tion or prohibition on, direct or indirect in-
6 vestment in or from a foreign country or
7 entity.

8 (iv) The imposition of increased tar-
9 iffs on, or other restrictions on imports of,
10 products of a foreign country or entity, in-
11 cluding the denial, revocation, or condi-
12 tioning of nondiscriminatory (most-fa-
13 vored-nation) trade treatment.

14 (v) The suspension of, or any restric-
15 tion or prohibition on—

16 (I) the authority of the Export-
17 Import Bank of the United States to
18 give approval to the issuance of any
19 guarantee, insurance, or extension of
20 credit in connection with the export of
21 goods or services to a foreign country
22 or entity;

23 (II) the authority of the Trade
24 and Development Agency to provide
25 assistance in connection with projects

1 in a foreign country or in which a
2 particular foreign entity participates;
3 or

4 (III) the authority of the Over-
5 seas Private Investment Corporation
6 to provide insurance, reinsurance, fi-
7 nancing, or conduct other activities in
8 connection with projects in a foreign
9 country or in which a particular for-
10 eign entity participates.

11 (vi) A requirement that the United
12 States representative to an international fi-
13 nancial institution vote against any loan or
14 other utilization of funds to, for, or in a
15 foreign country or particular foreign entity.

16 (vii) A measure imposing any restric-
17 tion or condition on economic activity on
18 any foreign government or entity on the
19 ground that such government or entity
20 does business in or with a foreign country.

21 (viii) A measure imposing any restric-
22 tion or condition on economic activity on
23 any person that is a national of a foreign
24 country, or on any government or other en-
25 tity of a foreign country, on the ground

1 that the government of that country has
2 not taken measures in cooperation with, or
3 similar to, sanctions imposed by the Unit-
4 ed States on a third country.

5 (ix) The suspension of, or any restric-
6 tion or prohibition on, travel rights or air
7 transportation to or from a foreign coun-
8 try.

9 (x) Any restriction on the filing or
10 maintenance in a foreign country of any
11 proprietary interest in intellectual property
12 rights (including patents, copyrights, and
13 trademarks), including payment of patent
14 maintenance fees.

15 (C) MULTILATERAL REGIME.—As used in
16 this paragraph, the term “multilateral regime”
17 means an agreement, arrangement, or obliga-
18 tion under which the United States cooperates
19 with other countries in restricting commerce for
20 reasons of foreign policy or national security,
21 including—

22 (i) obligations under resolutions of the
23 United Nations;

24 (ii) nonproliferation and export con-
25 trol arrangements, such as the Australia

1 Group, the Nuclear Supplier's Group, the
2 Missile Technology Control Regime, and
3 the Wassenaar Arrangement;

4 (iii) treaty obligations, such as under
5 the Chemical Weapons Convention, the
6 Treaty on the Non-Proliferation of Nuclear
7 Weapons, and the Biological Weapons Con-
8 vention; and

9 (iv) agreements concerning protection
10 of the environment, such as the Inter-
11 national Convention for the Conservation
12 of Atlantic Tunas, the Declaration of Pan-
13 ama referred to in section 2(a)(1) of the
14 International Dolphin Conservation Act
15 (16 U.S.C. 1361 note), the Convention on
16 International Trade in Endangered Spe-
17 cies, the Montreal Protocol on Substances
18 that Deplete the Ozone Layer, and the
19 Basel Convention on the Control of
20 Transboundary Movements of Hazardous
21 Wastes.

22 (D) FINANCIAL TRANSACTION.—As used
23 in this paragraph, the term “financial trans-
24 action” has the meaning given that term in sec-
25 tion 1956(c)(4) of title 18, United States Code.

(E) INVESTMENT.—As used in this paragraph, the term “investment” means any contribution or commitment of funds, commodities, services, patents, or other forms of intellectual property, processes, or techniques, including—

(i) a loan or loans;

(ii) the purchase of a share of ownership;

(iii) participation in royalties, earnings, or profits; and

(iv) the furnishing of commodities or services pursuant to a lease or other contract.

(F) EXCLUSIONS.—The term “unilateral economic sanction” does not include—

(i) any measure imposed to remedy unfair trade practices or to enforce United States rights under a trade agreement, including under section 337 of the Tariff Act of 1930, title VII of that Act, title III of the Trade Act of 1974, sections 1374 and 1377 of the Omnibus Trade and Competitiveness Act of 1988 (19 U.S.C. 3103 and 3106), and section 3 of the Act of March 3, 1933 (41 U.S.C. 10b–1);

1 (ii) any measure imposed to remedy
2 market disruption or to respond to injury
3 to a domestic industry for which increased
4 imports are a substantial cause or threat
5 thereof, including remedies under sections
6 201 and 406 of the Trade Act of 1974,
7 and textile import restrictions (including
8 those imposed under section 204 of the
9 Agricultural Act of 1956 (7 U.S.C. 1784));

10 (iii) any action taken under title IV of
11 the Trade Act of 1974, including the en-
12 actment of a joint resolution under section
13 402(d)(2) of that Act;

14 (iv) any measure imposed to restrict
15 imports of agricultural commodities to pro-
16 tect food safety or to ensure the orderly
17 marketing of commodities in the United
18 States, including actions taken under sec-
19 tion 22 of the Agricultural Adjustment Act
20 (7 U.S.C. 624);

21 (v) any measure imposed to restrict
22 imports of any other products in order to
23 protect domestic health or safety;

24 (vi) any measure authorized by, or im-
25 posed under, a multilateral or bilateral

1 trade agreement to which the United
2 States is a signatory, including the Uru-
3 guay Round Agreements, the North Amer-
4 ican Free Trade Agreement, the United
5 States-Israel Free Trade Agreement, and
6 the United States-Canada Free Trade
7 Agreement; and

8 (vii) any export control imposed on
9 any item on the United States Munitions
10 List.

11 (2) NATIONAL EMERGENCY.—The term “na-
12 tional emergency” means any unusual or extraor-
13 dinary threat, which has its source in whole or sub-
14 stantial part outside the United States, to the na-
15 tional security, foreign policy, or economy of the
16 United States.

17 (3) AGRICULTURAL COMMODITY.—The term
18 “agricultural commodity” has the meaning given
19 that term in section 102(1) of the Agricultural
20 Trade Act of 1978 (7 U.S.C. 5602(1)).

21 (4) APPROPRIATE COMMITTEES.—The term
22 “appropriate committees” means the Committee on
23 Agriculture, the Committee on International Rela-
24 tions, the Committee on Ways and Means, and the
25 Committee on Banking and Financial Services of the

1 House of Representatives, and the Committee on
 2 Agriculture, Nutrition, and Forestry, the Committee
 3 on Finance, and the Committee on Foreign Rela-
 4 tions of the Senate.

5 (5) CONTRACT SANCTITY.—The term “contract
 6 sanctity”, with respect to a unilateral economic
 7 sanction, refers to the inapplicability of the sanction
 8 to—

9 (A) a contract or agreement entered into
 10 before the sanction is imposed, or to a valid ex-
 11 port license or other authorization to export;
 12 and

13 (B) actions taken to enforce the right to
 14 maintain intellectual property rights, in the for-
 15 eign country against which the sanction is im-
 16 posed, which existed before the imposition of
 17 the sanction.

18 **SEC. 5. GUIDELINES FOR UNILATERAL ECONOMIC SANC-**
 19 **TIONS LEGISLATION.**

20 Any bill or joint resolution that imposes any unilat-
 21 eral economic sanction, or authorizes the imposition of any
 22 unilateral economic sanction by the executive branch, and
 23 is considered by the House of Representatives or the Sen-
 24 ate, should—

1 (1) state the foreign policy or national security
2 objective or objectives of the United States that the
3 economic sanction is intended to achieve;

4 (2) provide that the economic sanction termi-
5 nate 2 years after it is imposed, unless specifically
6 reauthorized by Congress;

7 (3) provide for contract sanctity;

8 (4) provide authority for the President both to
9 adjust the timing and scope of the sanction and to
10 waive the sanction, if the President determines it is
11 in the national interest to do so;

12 (5)(A) target the sanction as narrowly as pos-
13 sible on foreign governments, entities, and officials
14 that are responsible for the conduct being targeted;
15 and

16 (B) seek to minimize any adverse impact on the
17 humanitarian activities of United States and foreign
18 nongovernmental organizations in any country
19 against which the sanction may be imposed; and

20 (6) provide, to the extent that the Secretary of
21 Agriculture or the Congressional Budget Office finds
22 that—

23 (A) the proposed sanction is likely to re-
24 strict exports of any agricultural commodity or
25 is likely to result in retaliation against exports

1 of any agricultural commodity from the United
2 States, and

3 (B) the sanction is proposed to be im-
4 posed, or is likely to be imposed, on a country
5 or countries that constituted, in the preceding
6 calendar year, the market for more than 3 per-
7 cent of all export sales from the United States
8 of an agricultural commodity,

9 that the Secretary of Agriculture expand agricultural
10 export assistance under United States market devel-
11 opment, food assistance, or export promotion pro-
12 grams to offset the likely damage to incomes of pro-
13 ducers of the affected agricultural commodity or
14 commodities, to the maximum extent permitted by
15 the obligations of the United States under the
16 Agreement on Agriculture referred to in section
17 101(d)(2) of the Uruguay Round Agreements Act
18 (19 U.S.C. 3511(d)(2)).

19 **SEC. 6. REQUIREMENTS FOR BILL OR JOINT RESOLUTION.**

20 (a) PUBLIC COMMENT.—Before considering a bill or
21 joint resolution that imposes any unilateral economic sanc-
22 tion, or authorizes the imposition of any unilateral eco-
23 nomic sanction by the executive branch, the committee of
24 primary jurisdiction shall publish a notice which provides
25 an opportunity for interested members of the public to

1 submit comments to the committee on the proposed sanc-
 2 tion.

3 (b) WHEN REPORTS REQUESTED.—The committee
 4 of primary jurisdiction that orders reported a bill or joint
 5 resolution described in section 5 shall timely request from
 6 the President and the Secretary of Agriculture the reports
 7 identified in subsection (c). Each such report that has
 8 been timely submitted prior to the filing of the committee
 9 report accompanying the bill or joint resolution shall be
 10 included in the committee report. The committee report
 11 shall also contain, if the bill or joint resolution does not
 12 meet any of the guidelines specified in paragraphs (1)
 13 through (6) of section 5, an explanation of why it does
 14 not.

15 (c) REPORTS.—

16 (1) REPORT BY THE PRESIDENT.—The Presi-
 17 dent's report to Congress under subsection (b) shall
 18 contain—

19 (A) an assessment of—

20 (i) the likelihood that the proposed
 21 unilateral economic sanction will achieve
 22 its stated objective within a reasonable pe-
 23 riod of time; and

24 (ii) the impact of the proposed unilat-
 25 eral economic sanction on—

1 (I) humanitarian conditions, in-
2 cluding the impact on conditions in
3 any specific countries on which the
4 sanction is proposed to be or may be
5 imposed;

6 (II) humanitarian activities of
7 United States and foreign nongovern-
8 mental organizations;

9 (III) relations with United States
10 allies;

11 (IV) other United States national
12 security and foreign policy interests;
13 and

14 (V) countries and entities other
15 than those on which the sanction is
16 proposed to be or may be imposed;

17 (B) a description and assessment of—

18 (i) diplomatic and other steps the
19 United States has taken to accomplish the
20 intended objectives of the unilateral sanc-
21 tion legislation;

22 (ii) the likelihood of multilateral adop-
23 tion of comparable measures;

24 (iii) comparable measures undertaken
25 by other countries;

1 (iv) alternative measures to promote
2 the same objectives, and an assessment of
3 their potential effectiveness;

4 (v) any obligations of the United
5 States under international treaties or trade
6 agreements with which the proposed sanc-
7 tion may conflict;

8 (vi) the likelihood that the proposed
9 sanction will lead to retaliation against
10 United States interests, including agricul-
11 tural interests; and

12 (vii) whether the achievement of the
13 objectives of the proposed sanction out-
14 weighs any likely costs to United States
15 foreign policy, national security, economic,
16 and humanitarian interests, including any
17 potential harm to United States business,
18 agriculture, and consumers, and any poten-
19 tial harm to the international reputation of
20 the United States as a reliable supplier of
21 products, technology, agricultural commod-
22 ities, and services.

23 (2) REPORT BY THE SECRETARY OF AGRI-
24 CULTURE.—The Secretary of Agriculture shall sub-

1 mit to the appropriate committees a report which
2 shall contain an assessment of—

3 (A) the extent to which any country or
4 countries proposed to be sanctioned or likely to
5 be sanctioned are markets that accounted for,
6 in the preceding calendar year, more than 3
7 percent of all export sales from the United
8 States of any agricultural commodity;

9 (B) the likelihood that exports of agricul-
10 tural commodities from the United States will
11 be affected by the proposed sanction or by re-
12 taliation by any country proposed to be sanc-
13 tioned or likely to be sanctioned, and specific
14 commodities which are most likely to be af-
15 fected;

16 (C) the likely effect on incomes of produc-
17 ers of the specific commodities identified by the
18 Secretary;

19 (D) the extent to which the proposed sanc-
20 tion would permit foreign suppliers to replace
21 United States suppliers; and

22 (E) the likely effect of the proposed sanc-
23 tion on the reputation of United States farmers
24 as reliable suppliers of agricultural commodities

1 in general, and of the specific commodities iden-
2 tified by the Secretary.

3 (3) FEDERAL PRIVATE SECTOR MANDATE.—

4 (A) IN GENERAL.—Any bill or joint resolu-
5 tion that imposes any unilateral economic sanc-
6 tion described in section 5 shall be considered
7 to include a Federal private sector mandate for
8 purposes of part B of title IV of the Congres-
9 sional Budget Act of 1974.

10 (B) REPORT BY THE CONGRESSIONAL
11 BUDGET OFFICE.—The report by the Congres-
12 sional Budget Office pursuant to subparagraph
13 (A) shall include an assessment of the likely
14 short-term and long-term costs of the proposed
15 sanction to the United States economy, includ-
16 ing the potential impact on United States trade
17 performance, employment, and growth, the
18 international reputation of the United States as
19 a reliable supplier of products, agricultural
20 commodities, technology, and services, and the
21 economic well-being and international competi-
22 tive position of United States industries, firms,
23 workers, farmers, and communities.

1 **SEC. 7. REQUIREMENTS FOR EXECUTIVE ACTION.**

2 (a) IN GENERAL.—The President may implement a
3 unilateral economic sanction under any provision of law
4 not less than 60 days after announcing his intention to
5 do so.

6 (b) CONSULTATION.—The President shall consult
7 with the appropriate committees regarding the proposed
8 unilateral economic sanction, including consultations re-
9 garding efforts to achieve or increase multilateral coopera-
10 tion on the issues or problems prompting the proposed
11 sanction.

12 (c) PUBLIC HEARINGS; RECORD.—The President
13 shall publish a notice in the Federal Register of the oppor-
14 tunity for interested persons to submit comments on the
15 proposed unilateral economic sanction.

16 (d) GUIDELINES FOR EXECUTIVE BRANCH SANC-
17 TIONS.—Any unilateral economic sanction imposed by the
18 President—

19 (1) shall—

20 (A) include a clear finding that the sanc-
21 tion is likely to achieve a specific United States
22 foreign policy or national security objective
23 within a reasonable period of time, which shall
24 be specified, and that the achievement of the
25 objectives of the sanction outweighs any costs
26 to United States national interests;

1 (B) provide for contract sanctity;

2 (C) terminate not later than 2 years after
3 the sanction is imposed, unless specifically ex-
4 tended by the President in accordance with the
5 procedures of this section;

6 (D)(i) be targeted as narrowly as possible
7 on foreign governments, entities, and officials
8 that are responsible for the conduct being tar-
9 geted; and

10 (ii) seek to minimize any adverse impact
11 on the humanitarian activities of United States
12 and foreign nongovernmental organizations in a
13 country against which the sanction may be im-
14 posed; and

15 (2) should provide, to the extent that the Sec-
16 retary of Agriculture finds that—

17 (A) a unilateral economic sanction is likely
18 to restrict exports of any agricultural commod-
19 ity from the United States or is likely to risk
20 retaliation against exports of any agricultural
21 commodity from the United States, and

22 (B) the sanction is proposed to be im-
23 posed, or is likely to be imposed, on a country
24 or countries that constituted, in the preceding
25 calendar year, the market for more than 3 per-

1 cent of all export sales from the United States
2 of an agricultural commodity,
3 that the Secretary of Agriculture expand agricultural
4 export assistance under United States market devel-
5 opment, food assistance, or export promotion pro-
6 grams to offset the likely damage to incomes of pro-
7 ducers of the affected agricultural commodity or
8 commodities, to the maximum extent permitted by
9 law and by the obligations of the United States
10 under the Agreement on Agriculture referred to in
11 section 101(d)(2) of the Uruguay Round Agree-
12 ments Act (19 U.S.C. 3511(d)(2)).

13 (e) REPORT BY THE PRESIDENT.—Prior to imposing
14 any unilateral economic sanction, the President shall pro-
15 vide a report to the appropriate committees on the pro-
16 posed sanction. The report shall include the report of the
17 International Trade Commission under subsection (g) (if
18 timely submitted prior to the filing of the report). The
19 President’s report shall contain the following:

20 (1) An explanation of the foreign policy or na-
21 tional security objective or objectives intended to be
22 achieved through the proposed sanction.

23 (2) An assessment of—

1 (A) the likelihood that the proposed unilat-
2 eral economic sanction will achieve its stated
3 objectives within the stated period of time; and

4 (B) the impact of the proposed unilateral
5 economic sanction on—

6 (i) humanitarian conditions, including
7 the impact on conditions in any specific
8 countries on which the sanctions are pro-
9 posed to be imposed;

10 (ii) humanitarian activities of United
11 States and foreign nongovernmental orga-
12 nizations;

13 (iii) relations with United States al-
14 lies;

15 (iv) other United States national secu-
16 rity and foreign policy interests; and

17 (v) countries and entities other than
18 those on which the sanction is proposed to
19 be imposed.

20 (3) A description and assessment of—

21 (A) diplomatic and other steps the United
22 States has taken to accomplish the intended ob-
23 jectives of the proposed sanction;

24 (B) the likelihood of multilateral adoption
25 of comparable measures;

1 (C) comparable measures undertaken by
2 other countries;

3 (D) alternative measures to promote the
4 same objectives, and an assessment of their po-
5 tential effectiveness;

6 (E) any obligations of the United States
7 under international treaties or trade agreements
8 with which the proposed sanction may conflict;

9 (F) the likelihood that the proposed sanc-
10 tion will lead to retaliation against United
11 States interests, including agricultural interests;
12 and

13 (G) whether the achievement of the objec-
14 tives of the proposed sanction outweighs any
15 likely costs to United States foreign policy, na-
16 tional security, economic, and humanitarian in-
17 terests, including any potential harm to United
18 States business, agriculture, and consumers,
19 and any potential harm to the international
20 reputation of the United States as a reliable
21 supplier of products, technology, agricultural
22 commodities, and services.

23 (f) REPORT BY THE SECRETARY OF AGRI-
24 CULTURE.—Prior to the imposition of a unilateral eco-
25 nomic sanction by the President, the Secretary of Agri-

1 culture shall submit to the appropriate committees a re-
2 port which shall contain an assessment of—

3 (1) the extent to which any country or countries
4 proposed to be sanctioned are markets that ac-
5 counted for, in the preceding calendar year, more
6 than 3 percent of all export sales from the United
7 States of any agricultural commodity;

8 (2) the likelihood that exports of agricultural
9 commodities from the United States will be affected
10 by the proposed sanction or by retaliation by any
11 country proposed to be sanctioned, including specific
12 commodities which are most likely to be affected;

13 (3) the likely effect on incomes of producers of
14 the specific commodities identified by the Secretary;

15 (4) the extent to which the proposed sanction
16 would permit foreign suppliers to replace United
17 States suppliers; and

18 (5) the likely effect of the proposed sanction on
19 the reputation of United States farmers as reliable
20 suppliers of agricultural commodities in general, and
21 of the specific commodities identified by the Sec-
22 retary.

23 (g) REPORT BY THE UNITED STATES INTER-
24 NATIONAL TRADE COMMISSION.—Before imposing a uni-
25 lateral economic sanction, the President shall make a

1 timely request to the United States International Trade
2 Commission for a report on the likely short-term and long-
3 term costs of the proposed sanction to the United States
4 economy, including the potential impact on United States
5 trade performance, employment, and growth, the inter-
6 national reputation of the United States as a reliable sup-
7 plier of products, agricultural commodities, technology,
8 and services, and the economic well-being and inter-
9 national competitive position of United States industries,
10 firms, workers, farmers, and communities.

11 (h) WAIVER IN CASE OF NATIONAL EMERGENCY.—
12 The President may waive any of the requirements of sub-
13 sections (a), (b), (c), (e), (f), and (g), in the event that
14 the President determines that there exists a national
15 emergency that requires the exercise of the waiver. In the
16 event of such a waiver, the requirements waived shall be
17 met during the 60-day period immediately following the
18 imposition of the unilateral economic sanction, and the
19 sanction shall terminate 90 days after being imposed un-
20 less such requirements are met. The President may waive
21 any of the requirements of paragraphs (1)(B), (1)(D), and
22 (2) of subsection (d) in the event that the President deter-
23 mines that the unilateral economic sanction is related to
24 actual or imminent armed conflict involving the United
25 States.

1 (i) SANCTIONS REVIEW COMMITTEE.—The President
2 shall establish a Sanctions Review Committee to coordi-
3 nate United States policy regarding unilateral economic
4 sanctions and to provide appropriate recommendations to
5 the President prior to decisions regarding such sanctions.

6 The Committee shall be comprised of—

- 7 (1) the Secretary of State;
- 8 (2) the Secretary of the Treasury;
- 9 (3) the Secretary of Defense;
- 10 (4) the Secretary of Agriculture;
- 11 (5) the Secretary of Commerce;
- 12 (6) the Secretary of Energy;
- 13 (7) the United States Trade Representative;
- 14 (8) the Director of the Office of Management
15 and Budget;
- 16 (9) the Chairman of the Council of Economic
17 Advisers;
- 18 (10) the Assistant to the President for National
19 Security Affairs; and
- 20 (11) the Assistant to the President for Eco-
21 nomic Policy.

22 (j) INAPPLICABILITY OF OTHER PROVISIONS.—This
23 section applies notwithstanding any other provision of law.

1 **SEC. 8. ANNUAL REPORTS.**

2 (a) ANNUAL REPORT.—Not later than 6 months
3 after the date of enactment of this Act, and annually
4 thereafter, the President shall submit to the appropriate
5 committees a report detailing with respect to each country
6 or entity against which a unilateral economic sanction has
7 been imposed—

8 (1) the extent to which the sanction has
9 achieved foreign policy or national security objectives
10 of the United States with respect to that country or
11 entity;

12 (2) the extent to which the sanction has harmed
13 humanitarian interests in that country, the country
14 in which that entity is located, or in other countries;
15 and

16 (3) the impact of the sanction on other national
17 security and foreign policy interests of the United
18 States, including relations with countries friendly to
19 the United States, and on the United States econ-
20 omy.

21 (b) REPORT BY THE UNITED STATES INTER-
22 NATIONAL TRADE COMMISSION.—Not later than 6
23 months after the date of enactment of this Act, and annu-
24 ally thereafter, the United States International Trade
25 Commission shall report to the appropriate committees on
26 the costs, individually and in the aggregate, of all unilat-

1 eral economic sanctions in effect under United States law,
2 regulation, or Executive order. The calculation of such
3 costs shall include an assessment of the impact of such
4 measures on the international reputation of the United
5 States as a reliable supplier of products, agricultural com-
6 modities, technology, and services.

○